

Attachment to Interview Summary

1. Applicant called to inquire about the period to respond to the final office action in that five months was indicated on the advisory action mailed 5/22/2009. The examiner indicated that five months had either been paid for or included in the shortened statutory period for response, but that the full six month period was available to applicant with the proper extension of time petition. Applicant also inquired if the comments in the advisory action mailed 5/22/2009 implied that there would be a showing of unexpected results that would overcome the art rejection and be commensurate with the scope of the claims, if the claims were limited to restrict the amount of diatomaceous earth as previously presented. The examiner indicated that this was the correct reading of the comments in the advisory action.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Watkins III whose telephone number is 571-272-1503. The examiner works an increased flex time schedule, but can normally be reached Monday through Friday, 11:30 A.M. through 8:00 P.M. Eastern Time. The examiner returns all calls within one business day unless an extended absence is noted on his voice mail greeting.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Sample can be reached on 571-272-1376. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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June 22, 2009

/William P. Watkins III/
Primary Examiner, Art Unit 1794